

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.14717 of 2006

Dated: 18.07.2006

Between:

N. Moses, S/o late N. Peter, R/o Plot No.18, Bankers' Colony,
Srikakulam.

.... PETITIONER

AND

The APSRTC, Musheerabad, Hyderabad, rep. by its Vice
Chairman and Managing Director and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.14717 of 2006

Order:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

The case of the petitioner is that while working as a Junior Assistant in Srikakulam, on the ground that his father was suffering from cardiac problem and as there is no Cardiac Hospital at Srikakulam, he made an application on 06.01.2003 requesting the respondents-Corporation to transfer him from Srikakulam to Visakhapatnam for getting his father treated. However, the respondents did not respond to his request and did not transfer him. While so, the petitioner states that his father expired on 24.07.2005, and immediately thereafter, he made representation to the respondents withdrawing his application for transfer stating that since his father expired, there is no necessity for him to request for his transfer to Visakhapatnam. The grievance of the petitioner is that the respondents, having kept quiet all these years, issued the impugned proceedings dated 12.04.2006 transferring him from Srikakulam to Visakhapatnam Region. Immediately, he made a representation dated 18.04.2006 requesting the respondents to retain him at Srikakulam, but the respondents without considering his representation, issued relieving orders dated 15.06.2006, which is illegal and arbitrary. Hence, he filed the present writ petition.

A perusal of the impugned transfer order reveals that the present transfer is made on the request of the petitioner. Even though the petitioner contends that immediately after the death of his father, he made a representation to the respondents withdrawing his application for transfer stating that since his father expired, there is no necessity for him to request for transfer to Visakhapatnam, the petitioner has not placed any material to show that he in fact has made such a request. Be that as it may, inasmuch as it is the case of the petitioner that since his father was suffering from cardiac problems, he had made a request for his transfer to Visakhapatnam to get his father treated, and having regard to the fact that the father of the petitioner expired, and inasmuch

as it is the case of the petitioner that after the death of his father, he had withdrawn his application for his transfer from Srikakulam to Visakhapatnam, I deem it appropriate to dispose of the writ petition with the following directions.

The petitioner is at liberty to make a representation to the respondents seeking his re-transfer to his original place, and if any such representation is made, the respondents shall consider the same and pass appropriate orders thereon, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

N.V. RAMANA, J.

Date: 18.07.2006

Nsr/Ksr